

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BLUE MOON MARKETING, LLC,

Plaintiff,

vs.

SCOTT R. MATTHEWS, *et al.*,

Defendants.

Case No. 2:13-cv-02238-JAD-GWF

**ORDER**

Motion for Limited Relief from  
Stay (#89)

This matter comes before the Court on Defendants Philip Brewer, Summer Bay Resorts Crown Club, LLC, and Summer Bay Sales and Marketing, L.C.'s Motion for Limited Relief from Stay (#89), filed on August 19, 2014. No opposition was filed in this matter.

On May 5, 2014, the undersigned entered an order granting Defendants' motion to stay proceedings pending a ruling on their motion for summary judgment. *See Dkt. #75*. Defendants move this Court for limited relief from the stay for the purpose of filing a motion to transfer venue to the Middle District of Florida and to file a motion for judgment on the pleadings pursuant to Rule 12(c). *See Dkt. #89*.

Issuing a stay of a civil proceeding is within the sound discretion of the court. *See Dependable Highway Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066 (9th Cir. 2007). Accordingly, it is in the Court's discretion to grant relief from a stay. Furthermore, pursuant to LR 7-2, the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion. Here, the Court finds the Defendants have shown good cause and no opposition was filed in this matter. Accordingly,

**IT IS HEREBY ORDERED** that Defendants Philip Brewer, Summer Bay Resorts Crown Club, LLC, and Summer Bay Sales and Marketing, L.C.'s Motion for Limited Relief from Stay (#89) is **granted**.

1           **IT IS FURTHER ORDERED** that the hearing set for Wednesday, September 24, 2014 at  
2 2:00 PM be **vacated**.

3           DATED this 22nd day of September, 2014.

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6 GEORGE FOLEY, JR.  
7 United States Magistrate Judge  
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